

REMARKS:

This Amendment under 37 C.F.R. § 1.312 is submitted in response to a Notice of Allowance and Examiner's Amendment mailed on 8 December 2009.

On 18 November 2004, Applicant filed an Information Disclosure Statement with PTO-1449 form attached, listing the references submitted for consideration including a copy of reference "U". The Information Disclosure Statement with PTO-1449 form attached and the copy of reference "U" submitted to the U.S. Patent and Trademark Office on 18 November 2004 is attached hereto as Exhibit A and is also available on the U.S. Patent and Trademark Office's PAIR system.

The Information Disclosure Statement was mailed to the U.S. Patent and Trademark Office on 18 November 2004 as shown by the certificate of transmission and the date stamp on the PTO-1449 form attached to the information Disclosure Statement filed 18 November 2004.

However, an Office Communication was mailed on 6 January 2010 and Examiner Chen returned a copy of the PTO-1449 form indicating consideration of all references except reference "U" cited in the Information Disclosure Statement timely filed 18 November 2004. In particular, the following Non-Patent Document was not indicated as considered:

AT&L Knowledge Sharing System "Ask a Professor – Question & Answer Detail," 2 pages. (Posted to Acquisition Logistics 10/29/2003 and 5/5/1999).

Accordingly, Applicant respectfully requests confirmation of consideration of reference "U" on the timely filed Information Disclosure Statement, filed 18 November 2004. *Examiner Chen is respectfully requested to initial reference "U" listed on the PTO-1449 form to show that it was appropriately considered during the examination of the subject Application.*

Examiner Chen telephoned Applicant's representative on 5 March 2010 and indicated that the Examiner would initial the reference (that was timely filed on 18 November 2004 and listed on PTO-1449 form) showing that it was appropriately considered during the examination of the subject application, if Applicant files a new Invention Disclosure Statement listing the Non-Patent Document.

Although, Applicant believes the Examiner may initial reference “U” listed on the PTO-1449 form timely filed on 18 November 2004, Applicant is electronically filing herewith an Information Disclosure Statement (form PTO/SB/S08a), listing the Non-Patent Document as AT&L Knowledge Sharing System “Ask a Professor – Question & Answer Detail,” 2 pages. (Posted to Acquisition Logistics 10/29/2003 and 5/5/1999). ***Examiner Chen is respectfully requested to initial the Non-Patent Document listed on the PTO/SB/S08a form to show that it was appropriately considered during the examination of the subject Application.***

CONCLUSION:

Although Applicant believes no fees are deemed to be necessary for submitting an Information Disclosure Statement (form PTO/SB/S08a) listing the Non-Patent Document that was timely filed on 18 November 2004, Applicant submits herewith the fees as necessitated by 37 CFR 1.17 (p) using a credit card. In addition, the undersigned hereby authorizes the Commissioner to charge any additional fees which may be required, or credit any overpayments, to **Deposit Account No. 500777**. If an extension of time is necessary for allowing this Response to be timely filed, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) to the extent necessary. Any fee required for such Petition for Extension of Time should be charged to **Deposit Account No. 500777**.

Please link this application to Customer No. 53184 so that its status may be checked via the PAIR System.

Respectfully submitted,

5 March 2010
Date

/Steven J. Laureanti/signed
Steven J. Laureanti, Registration No. 50,274

BOOTH UDALL, PLC
1155 W. Rio Salado Pkwy., Ste. 101
Tempe AZ, 85281
214.636.0799 (mobile)
480.830.2700 (office)
480.830.2717 (fax)
steven@boothudall.com

CUSTOMER NO. 53184